

Senate File 406 - Introduced

SENATE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 170)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to dogs, including the right to kill a tagged dog
2 and the liability of a dog's owner for damages caused by the
3 dog.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2166SV 82
6 da/es/88

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1 1 Section 1. Section 351.27, Code 2007, is amended to read
1 2 as follows:
1 3 351.27 RIGHT TO KILL TAGGED DOG.
1 4 It shall be lawful for any person to kill a dog, wearing a
1 5 collar with a rabies vaccination tag attached, when the dog is
1 6 caught in the act of ~~worrying~~, chasing, maiming, or killing
1 7 any domestic animal or fowl, or when such dog is attacking or
1 8 attempting to bite a person.
1 9 Sec. 2. Section 351.28, Code 2007, is amended to read as
1 10 follows:
1 11 351.28 LIABILITY FOR DAMAGES.
1 12 The owner of a dog shall be liable to an injured party for
1 13 all damages done by the dog, when the dog is caught in the
1 14 ~~action act~~ of ~~worrying~~ chasing, maiming, or killing a domestic
1 15 animal, or the dog is attacking or attempting to bite a
1 16 person, except when the party damaged is doing an unlawful
1 17 act, directly contributing to the injury. This section does
1 18 not apply to damage done by a dog affected with hydrophobia
1 19 unless the owner of the dog had reasonable grounds to know
1 20 that the dog was afflicted with hydrophobia and by reasonable
1 21 effort might have prevented the injury.
1 22 EXPLANATION
1 23 This bill relates to dogs, including the right to kill a
1 24 tagged dog and the liability of an owner of a dog for damages
1 25 caused by the dog. The bill removes the ability of a person
1 26 to kill a dog that is wearing a collar with a rabies
1 27 vaccination tag when the dog is caught in the act of worrying
1 28 a domestic animal or fowl. The bill removes the liability of
1 29 an owner of a dog to an injured party for damages done by the
1 30 dog when the dog is caught in the act of worrying a domestic
1 31 animal. The bill provides that an owner of a dog is liable to
1 32 an injured party for damages done by the dog when the dog is
1 33 caught in the act of chasing a domestic animal.
1 34 LSB 2166SV 82
1 35 da:nh/es/88